

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS**

In re:

Demetrios Baraklilis

Debtor

)  
)  
)  
) Chapter 13  
) Case No. 18-41684-CJP  
)  
)  
)

**ORDER CONFIRMING FIRST AMENDED CHAPTER 13 PLAN**

The debtor filed a First Amended Chapter 13 Plan (the "Plan") on January 9, 2019. The debtor filed a Certificate of Service on January 9, 2019 reflecting that the Plan was served on all creditors and parties in interest. No objections to the confirmation of the Plan were filed, or all objections were overruled by the Court or resolved by the parties. Upon consideration of the foregoing, the Court hereby orders the following:

1. The Plan is confirmed. The term of the Plan is 60 months.
2. The Debtor shall commence plan payments on October 15, 2018 as follows:  
  
\$ **2,481.00** per month for 3 months  
  
\$ **3,069.00** per month for 57 months
3. Payments shall be made electronically through TFS/ePay or by Money Order or Bank Treasurer's check (personal checks will not be accepted) and made payable to and forwarded to:

**Denise M. Pappalardo, Chapter 13 Trustee  
P.O. Box 16607  
Worcester, MA 01601**

4. The effective date of confirmation of the Plan is October 15, 2018. The disbursements to be made by the Chapter 13 Trustee pursuant to the confirmed plan are set forth on the attached summary which is incorporated by reference. Interested parties should consult the Plan for treatment of their particular claims and other significant provisions of the Plan.

5. Unless the Court orders otherwise, all property of the estate as defined in 11 U.S.C. §§ 541 and 1306, including, but not limited to, any appreciation in the value of real property owned by the debtor as of the commencement of the case, shall remain property of the estate during the term of the plan and shall vest in the debtor as set forth in Section 9 of the Summary. All property of the estate shall remain within the exclusive jurisdiction of the bankruptcy court. The debtor shall not transfer, sell or otherwise alienate property of the estate other than in accordance with the confirmed plan or other order of the Court. The debtor shall be responsible for preserving and protecting property of the estate.

6. The debtor shall promptly inform the Trustee of any material increase in income and/or any acquisition of assets during the term of the case. The Trustee may move to modify the Plan pursuant to 11 U.S.C. § 1329 if it is determined that any change in income or assets may be available to increase the dividend to creditors. The foregoing is in addition to any obligation of the debtor to file amended schedules in the event of any such increase.

Date: April 4, 2019

  
\_\_\_\_\_  
United States Bankruptcy Judge

## **SUMMARY OF DISBURSEMENTS TO BE MADE UNDER THE PLAN**

### **1. Unmodified Secured Claims**

OneWest Bank (the "First Mortgagee") is retaining its lien on the property located at 14 Pine Ridge Drive, Oxford, Massachusetts. The Debtor shall continue to make regular monthly payments in accordance with the contract with the First Mortgagee. The First Mortgagee will be paid its prepetition arrearage in the sum of **\$66,371.21** over 60 months at the sum of \$1,106.19 each month.

The secured claim of the Department of the Treasury-IRS in the amount of **\$17,082.32** will be paid over 60 months at the sum of \$284.71 each month. The Department of the Treasury-IRS shall retain its lien on the debtor's real and personal property.

### **2. Modified Secured Claims**

NONE

### **3. Liens Avoided under Sec. 522 (f)**

NONE

### **4. Surrender of Collateral**

NONE

### **5. Priority Claims**

Creditor	Claim	Term
Department of the Treasury-IRS	<b>\$ 57,744.85</b>	60 Months
MA Department of Revenue	<b>\$ 8,647.04</b>	60 Months

### **6. Administrative Claims**

Creditor	Claim	Term
David R. Chenelle, Esq.	<b>\$ 2,000.00</b>	12 Months

### **7. Unsecured Claims**

The Plan provides for a **100%** dividend payment to unsecured creditors in the amount of \$11,757.54.

**8. Executory Contracts**

NONE

**9. Vesting of Property of the Estate**

If the Debtor receives a discharge, property of the estate will vest in the Debtor upon the entry of the discharge. If the debtor does not receive a discharge, property of the estate will vest upon the earlier of (i) the filing of the Chapter 13 Standing Trustee's Final Report and Account and the closing of the case or (ii) dismissal of the case.

**10. Nonstandard Provisions**

The nonstandard provisions of Part 8 of the Plan are incorporated herein.